



**JIM DOYLE**  
**GOVERNOR**  
**STATE OF WISCONSIN**

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April 14, 2006

TO THE HONORABLE MEMBERS OF THE ASSEMBLY:

I am vetoing Assembly Bill 1072. This bill would allow courts in medical malpractice cases to reduce the amount of damages awarded to an injured claimant, by the amount an injured claimant receives from other “collateral sources” in compensation for injuries sustained as a result of medical malpractice.

I am vetoing AB 1072 for the same reasons that I vetoed the virtually identical AB 764 in December of 2005. Like AB 764, this bill is fundamentally unfair. Injured claimants should not be penalized for having obtained health care coverage. Similarly, as I have said before, those responsible for medical malpractice should not be relieved of their obligation to pay for damages simply because certain patients had the foresight to obtain health care benefits. Our laws governing medical malpractice should be structured to deter, not relieve, wrongful and harmful conduct. Quite simply, this bill has the potential to put patients at risk.

Moreover, AB 1072 solves nothing. Injured claimants very rarely benefit from “double payments.” The fact is, most health insurers require claimants to repay benefits they receive from their insurer when they also receive a medical malpractice damages award. This legislation is unnecessary and unfair, and I cannot sign it.

Respectfully submitted,

JIM DOYLE  
Governor